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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached letter which he has received from the Director General of the International Atomic Energy Agency (IAEA).

Annex

Letter dated 13 October 1993 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

By a letter dated 11 October the Executive Chairman of the UN Special Commission established by Security Council resolution 687 (1991) conveyed to you the Joint Report on the high-level talks held in Baghdad from 2 to 8 October 1993 between Representatives of the Government of Iraq on the one hand and the Executive Chairman of the Special Commission and the Leader of the IAEA Action Team on the other.

As you can see from the Joint Report, the IAEA has received the long requested critical information regarding suppliers of prohibited and other material and sources of technical advice. Subject to the verification of this information for accuracy and completeness Iraq would be regarded to have complied with all the disclosure requirements concerning its nuclear activities as provided for in resolutions 687 and 707 (1991). This is similar to the conclusions of the Special Commission with regard to the disclosure by Iraq of the information relevant to its proscribed programmes in the ballistic and biological areas.

As you can also see from the Report, and as previously reported to the Security Council, the Agency has phased in on a de facto basis certain elements of its ongoing monitoring and verification plan provided for in Security Council resolution 715 (1991) - a mandatory resolution that is automatically binding on all Member States - on the basis of baseline verification activities carried out over the last year. This approach is, however, without prejudice to and in no way constitutes a substitute for, the necessity for Iraq to formally acknowledge its obligations under Security Council resolution 715 (1991) and, as required by resolution 687 (1991), the plan approved thereunder. The approach, however, has the distinct merit of allowing the Agency to move into full implementation of the plan shortly after its formal acknowledgement by Iraq and thus accelerate the implementation of the Security Council resolutions relevant to Iraq's weapons of mass destruction.

It is clear from the above therefore that before the IAEA is ready to report that in its view Iraq has complied with the requirements of paragraphs 11, 12 and 13 of Section C of resolution 687 (1991) Iraq must formally acknowledge its obligations under Security Council resolution 715 (1991) and the plan approved thereunder, and the IAEA must satisfy itself that it is in a position to fully implement the plan which would also require the prior receipt from Iraq of the data foreseen in annexes 2 and 3 of the IAEA plan. The IAEA equally must verify recent information provided by Iraq on suppliers to its satisfaction. Naturally any report by the Agency as to what it views as compliance by Iraq with the paragraphs referred to above of resolution 687 (1991) is without prejudice to any interpretation the Security Council may want to attach to any of its resolutions.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Hans BLIX